

MDB/DAL: 2020R00619
cjr:11-14-2020

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED _____ ENTERED _____
LOGGED _____ RECEIVED _____

NOV 18 2020

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY

DEPUTY

UNITED STATES OF AMERICA

CRIMINAL NO. GLR-20-0267

v.

RONALD ALEXANDER,
THOMAS COREY CROSBY,
MARK BRINKLEY,
MARK MCCOY,
JOSEPH MCCLEAN,

Defendants.

(Conspiracy to Distribute Controlled Substances, 21 U.S.C. § 846; Distribution of a Controlled Substance and Possession with Intent to Distribute a Controlled Substance, 21 U.S.C. § 841; Possession of a Firearm by a Prohibited Person, 18 U.S.C. § 922(g)(1); Possession of a Firearm in Furtherance of a Drug Trafficking Crime, 18 U.S.C. § 924(c); Aiding and Abetting, 18 U.S.C. § 2; and Forfeiture)

SUPERSEDING INDICTMENT

COUNT ONE

Conspiracy to Distribute Controlled Substances

The Grand Jury for the District of Maryland charges that:

From a time unknown to the Grand Jury, but no later than in or about May 2020 through on or about August 14, 2020, in the District of Maryland, and elsewhere, the defendants:

**RONALD ALEXANDER,
THOMAS COREY CROSBY,
MARK BRINKLEY,
JOSEPH MCCLEAN,**

did knowingly combine, conspire, confederate, and agree with each other, and with persons known and unknown to the Grand Jury, to distribute and possess with the intent to distribute a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, and a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)piperidin-

4-yl] propanamide, also known as fentanyl, a Schedule II controlled substance, a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, and a mixture or substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841.in violation of 21 U.S.C. § 841.

21 U.S.C. § 846

QUANTITY OF CONTROLLED SUBSTANCES DISTRIBUTED IN CONSPIRACY

With respect to **RONALD ALEXANDER, THOMAS COREY CROSBY, MARK BRINKLEY, and JOSEPH MCCLEAN**, the amount involved in the conspiracy attributable to each of them as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, is 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, 40 grams or more of N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl] propanamide, also known as fentanyl, a Schedule II controlled substance, and a mixture or substance of detectable amount of cocaine, a Schedule II controlled substance.

PRIOR CONVICTION NOTICE PURSUANT TO 21 U.S.C. § 851

Before **RONALD ALEXANDER** committed the offense charged in Count One of this Superseding Indictment, **RONALD ALEXANDER** had a final conviction for a serious drug felony, specifically, a conviction under 21 U.S.C. § 846 (Conspiracy to Distribute and Possess With Intent to Distribute Heroin), for which he was sentenced to a term of imprisonment of 240 months and a period of supervised release of 4 years with a Final Judgment entered on January 22, 2002 by the United States District Court for the District of Maryland, and thus and thereafter served

more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

Before **THOMAS COREY CROSBY** committed the offense charged in Count One of this Superseding Indictment, **THOMAS COREY CROSBY** had a final conviction for a serious drug felony, specifically, a conviction under 21 U.S.C. § 841 (Possession with Intent to Distribute Heroin), for which he was sentenced to a term of imprisonment of 96 months and a period of supervised release of 4 years with a Final Judgment entered on March 1, 2010 by the United States District Court for the District of Maryland, and thus and thereafter served more than 12 months of imprisonment and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

COUNT TWO

Distribution of a Controlled Substance

The Grand Jury for the District of Maryland further charges that:

On or about July 1, 2020, in the District of Maryland, the defendant,

JOSEPH MCCLEAN,

did knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, and a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl] propanamide, also known as fentanyl, a Schedule II controlled substance.

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

COUNT THREE

Distribution of a Controlled Substance

The Grand Jury for the District of Maryland further charges that:

On or about July 8, 2020, in the District of Maryland, the defendant,

JOSEPH MCCLEAN,

did knowingly and intentionally distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl] propanamide, also known as fentanyl, a Schedule II controlled substance, and a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

COUNT FOUR

Distribution of a Controlled Substance

The Grand Jury for the District of Maryland further charges that:

On or about July 14, 2020, in the District of Maryland, the defendant,

JOSEPH MCCLEAN,

did knowingly and intentionally distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl] propanamide, also known as fentanyl, a Schedule II controlled substance, and a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

21 U.S.C. § 841(a)(1)

COUNT FIVE

Distribution of a Controlled Substance

The Grand Jury for the District of Maryland further charges that:

On or about July 21, 2020, in the District of Maryland, the defendant,

JOSEPH MCCLEAN,

did knowingly and intentionally distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl] propanamide, also known as fentanyl, a Schedule II controlled substance, and a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

21 U.S.C. § 841(a)(1)

COUNT SIX

Possession with Intent to Distribute a Controlled Substance

The Grand Jury for the District of Maryland further charges that:

On or about July 23, 2020, in the District of Maryland, the defendant,

MARK BRINKLEY,

did knowingly and intentionally possess with intent to distribute 100 grams or more of a mixture of substance containing a detectable amount of heroin, a Schedule I controlled substance, 40 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl] propanamide, also known as fentanyl, a Schedule II controlled substance, and a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

21 U.S.C. § 841(a)(1)

COUNT SEVEN

Distribution of a Controlled Substance

The Grand Jury for the District of Maryland further charges that:

On or about July 30, 2020, in the District of Maryland, the defendant,

JOSEPH MCCLEAN,

did knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, and a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl] propanamide, also known as fentanyl, a Schedule II controlled substance.

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

COUNT EIGHT

Possession of a Firearm by a Prohibited Person

The Grand Jury for the District of Maryland further charges that:

On or about August 14, 2020 in the District of Maryland, the defendant,

MARK MCCOY,

knowing he had been previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm to wit, one Smith & Wesson. 40 caliber pistol bearing serial number RAX7112, and the firearm was in and affecting commerce.

18 U.S.C. § 922(g)(1)

COUNT NINE

Possession with Intent to Distribute a Controlled Substance

The Grand Jury for the District of Maryland further charges that:

On or about August 14, 2020, in the District of Maryland, the defendant,

MARK MCCOY,

did knowingly and intentionally possess with intent to distribute a mixture of substance containing a detectable amount of cocaine and a detectable amount of cocaine base, a Schedule II controlled substance.

21 U.S.C. § 841(a)(1)

COUNT TEN

Possession of a Firearm in Furtherance of a Drug Trafficking Crime

The Grand Jury for the District of Maryland further charges that:

On or about August 14, 2020, in the District of Maryland, the defendant,

MARK MCCOY,

did knowingly possess a firearm, that is, one Smith & Wesson. 40 caliber pistol bearing serial number RAX7112, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Possession with Intent to Distribute a Controlled Substance, as charged in Count Nine of this Superseding Indictment, which is incorporated by reference herein.

18 U.S.C. § 924(c)(1)(A)

PRIOR CONVICTION NOTICE

Before **MARK MCCOY** committed the offense charged in Count Ten of this Superseding Indictment, **MARK MCCOY** had a final conviction under 18 U.S.C. § 924(c)(1)(A) for which he was sentenced to a term of imprisonment of 60 months and a period of supervised release of 5 years with a Final Judgment entered on August 2, 2013 by the United States District Court for the District of Maryland.

18 U.S.C. § 924(c)(1)(A)

FORFEITURE

The Grand Jury for the District of Maryland further charges that:

Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Section 841, the defendants, **RONALD ALEXANDER, MARK BRINKLEY, THOMAS COREY CROSBY, JOSEPH MCCLEAN, and MARK MCCOY**, shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense[s] and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense(s).

2. If any of the property described above, as a result of any act or omission of the defendant[s]:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

21 U.S.C. § 853
28 U.S.C. § 2461(c)

Robert K. Hur s/D12
Robert K. Hur
United States Attorney

A TRUE BILL:

SIGNATURE REDACTED

Foreperson

Dated: 11/18/ 2020